

# Community Right to Know (CRTK) Program Update

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# CRTK Program

- CRTK Survey
  - Universe of 30,000 - 35,000
    - Report inventories of environmental hazardous substances (EHSs) present at any time during the reporting year above applicable thresholds
      - Increase public awareness on the types and quantities of EHSs present in the community
      - Requires information be sent to NJDEP, county and local agencies
      - Useful for emergency responders

# CRTK Program

- Release and Pollution Prevention Report (RPPR)
  - Universe of 500 -550
    - Toxic Release Inventory (TRI) substances above threshold
    - Throughput (material balance)
      - Use/Manufacture/Process
      - Nonproduct Output
      - Releases
        - » Air, Water and Waste
      - Shipped in Product

# CRTK Program Status\*

- Surveys Mailed in 2004\*\* = 31, 413
- Total Received in 2004\*\* = 20,055
- Return Rate of 64%
- CRTK Inspections Conducted (2004) = 550

\* As of October 20, 2004

\*\* For reporting year 2003

# CRTK Surveys By County\*

County	CRTK Surveys Mailed 2004**	CRTK Surveys Received 2004**	Active Non- Responders 2004**
ATLANTIC	718	511	224
BERGEN	4440	2581	1646
BURLINGTON	1432	999	420
CAMDEN	1667	1058	574
CAPE MAY	355	260	104
CUMBERLAND	523	417	129
ESSEX	2766	1615	1035

\* As of October 20, 2004.

\*\* For reporting year 2003

# CRTK Surveys By County\*

County	CRTK Surveys Mailed 2004**	CRTK Surveys Received 2004**	Active Non- Responders 2004**
GLOUCESTER	896	601	271
HUDSON	1697	971	632
HUNTERDON	529	397	141
MERCER	1050	723	337
MIDDLESEX	2675	1821	848
MONMOUTH	2077	1289	716
MORRIS	2139	1431	686

\* As of October 20, 2004

\*\* For reporting year 2003

# CRTK Surveys By County\*

County	CRTK Surveys Mailed 2004**	CRTK Surveys Received 2004**	Active Non- Responders 2004**
OCEAN	1271	822	420
PASSAIC	2083	1366	628
SALEM	205	160	51
SOMERSET	1089	762	315
SUSSEX	512	356	163
UNION	2348	1502	790
WARREN	454	342	97

\* As of October 20, 2004

\*\* For reporting year 2003

# RPPR Data

## Reporting Year 2002

(pounds)

<u>County</u>	<u># of Reporter s</u>	<u>NPO</u>	<u>Stack Air Emissions</u>	<u>Fugitive Air Emissions</u>	<u>Surface Water Discharge</u>	<u>POTW Discharge</u>	<u>Total Waste Transfer</u>	<u>Shipped in/or as Product</u>
ATLANTIC	8	7,976	6,186	1,547	0	11	232	411
BERGEN	75	4,384,251	174,126	42,088	3	370,973	1,819,688	43,914,399
BURLINGTON	34	5,014,206	200,546	39,288	60,883	40,068	3,035,631	14,929,401
CAMDEN	30	3,837,908	322,598	30,127	0	22	692,204	359,766,084
CAPE MAY	2	1,256,875	513,736	2	1,145	0	64,339	311,936
CUMBERLAND	7	316,259	203,175	95,492	24	0	16,416	657,825
ESSEX	62	14,866,181	183,167	127,154	6	5,487,004	5,037,730	7,626,702,858

# RPPR Data

## Reporting Year 2002

(pounds)

<u>County</u>	<u># of Reporters</u>	<u>NPO</u>	<u>Stack Air Emissions</u>	<u>Fugitive Air Emissions</u>	<u>Surface Water Discharge</u>	<u>POTW Discharge</u>	<u>Total Waste Transfer</u>	<u>Shipped in/or as Product</u>
GLOUCESTER	32	19,394,324	790,780	333,210	248,528	95,876	2,400,262	7,289,748,922
HUDSON	30	14,745,517	3,323,339	89,423	5,260	43,097	1,469,144	75,555,983
HUNTERDON	11	432,413	10,679	2,339	13	633	299,354	5,529,492
MERCER	11	4,221,845	2,451,569	28,082	2,668	7	638,667	191,429,671
MIDDLESEX	98	89,567,629	937,341	393,086	6,123	27,778,077	28,536,683	5,296,192,093
MONMOUTH	14	1,401,566	26,317	2,336	0	51,383	271,135	160,695,966
MORRIS	40	5,564,543	51,381	18,932	1	149,611	1,251,517	19,746,273

# RPPR Data

## Reporting Year 2002

(pounds)

<u>County</u>	<u># of Reporters</u>	<u>NPO</u>	<u>Stack Air Emissions</u>	<u>Fugitive Air Emissions</u>	<u>Surface Water Discharge</u>	<u>POTW Discharge</u>	<u>Total Waste Transfer</u>	<u>Shipped in/or as Product</u>
OCEAN	8	334,911	6,265	11,682	0	240	43,298	571,490
PASSAIC	48	6,480,274	145,689	19,675	0	437,337	1,973,970	28,153,201
SALEM	14	51,474,413	739,020	413,834	2,714,353	324	7,401,617	34,948,921
SOMERSET	29	1,335,161	44,037	33,600	2	58,530	696,590	23,572,078
SUSSEX	4	488,308	171,324	29,427	0	0	51,360	0
UNION	52	31,632,322	888,146	639,897	1,517,590	692,587	6,017,986	8,611,291,834
WARREN	14	3,846,094	102,062	227,304	306,404	121,402	1,365,622	36,091,794

# CRTK Program Rules

- SIC/NAICS Conversion
  - Identification of Regulated Universe
- CRTK Rule Re-adoption

# NAICS Conversion

- Standard Industrial Classification (SIC) codes
- North American Free Trade Agreement (NAFTA)
  - US/Canada/Mexico
  - Phase-out SIC codes - replace with North American Industry Classification System (NAICS) codes
- Silver Bullet
  - Legislation signed August 2003 allowing conversion via rulemaking
- Adopted Temporary Rule Concurrent with Proposal of Final Rule
- Final Rule Adopted September 7, 2004

# NAICS Conversion

- Implementation
  - Regulated Universe
    - Not a one to one conversion from SIC to NAICS
    - Much uncertainty regarding facility status
    - Sent letters to approximately 3000 facilities
      - Requesting verification of NAICS subcategory code
      - Received approximately 1000 responses
  - Will query FACITS database to remove “obvious” non-regulated facilities
  - Will send CRTK survey booklets to remaining facilities
    - Put burden of proof on facilities

# CRTK Rule Readoption

- CRTK Reporting Exemptions\*
  - Unstaffed sites (cell towers, telecommunications relay boxes, etc.)
    - Except sites with EHS quantities above federal thresholds
  - Users below threshold/Non-users
  - Initial notification and notification of change of status required

\* In addition to those already contained in the CRTK Program rules, N.J.A.C. 7:1G

# CRTK Rule Readoption

- Reporting Threshold
  - Persistent, bioaccumulative, toxic (PBT) EHSs
    - Toxic
    - Remain in the environment for long periods
    - Not easily destroyed
    - Accumulate in body tissue
  - Must report any amount greater than zero
    - No mixture de minimus for PBTs

# CRTK Rule Readoption

- Release and Pollution Prevention Report
  - Input/output balance of EHSs may not exceed 5%
    - Inputs - Starting inventory, quantity produced on site, quantity brought on site, quantity recycled out of process and reused on site
    - Outputs - quantity consumed, quantity shipped off site as (or in) product, ending inventory, quantity recycled out of process and reused on site, quantity destroyed through on site treatment, quantity destroyed through on-site energy recovery, air emissions, water discharges, quantity disposed of on site, and other off site transfers

# CRTK Rule Readoption

- Release and Pollution Prevention Report
  - Mandatory electronic reporting
    - To begin July 1, 2005 (2004 reporting year)
    - Hardship exemption

# CRTK Rule Readoption

- Violations/Penalties
  - Implement the Fast Track Compliance Law
    - AKA Grace Period Law
    - Programs define violations as minor or non-minor
      - Criteria established in the law
    - Provides a mandatory grace period for minor violations
      - Not less than 30 days or more than 90 days
    - Provides grace period discretion for non-minor violations

# CRTK Rule Readoption

- Violations/Penalties
  - Minor Violations
    - Failure to submit a Release and Pollution Prevention Report to the Department or the County Lead Agency by July 1
      - Timely submittal poses minimal threat to human health and the environment
      - Annual throughput information not critical for emergency responders

# CRTK Rule Readoption

- Violations/Penalties
  - Non-Minor Violations
    - Failure to submit RTK Survey by March 1
      - Department, local agencies
    - Failure to include all EHSs/submit complete RTK Survey
    - Failure to retain/make available copy of RTK Survey/RPPR
      - Employees, NJ DEP, local designees, emergency responders
    - Failure to include all required information on RPPR
    - Failure to submit clarifying information within specified timeframes